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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Shamelle Morris 6544 College Grove)
Dr #68 San Diego, CA 92115,)

Plaintiff,)

vs.)

Homecomings Financial LLC 2711)
North Haskell Ave, Ste 900 Dallas,)
TX 75204,)

Defendant.)

Case No. 08 CV 0203 JM RBB

[Honorable Jeffrey T. Miller]

**DEFENDANT HOMECOMINGS
FINANCIAL, LLC'S NOTICE OF
MOTION AND MOTION TO
DISMISS COMPLAINT OR
ALTERNATIVELY, MOTION FOR A
MORE DEFINITE STATEMENT**

[FRCP RULES 12(b)(6), 12(e)]

DATE: July 18, 2008
TIME: 1:30 p.m.
PLACE: Courtroom 16

[Complaint filed: February 1, 2008]

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on July 18, 2008 at 1:30 p.m., or as soon
thereafter as the matter may be heard before Judge Jeffrey T. Miller at the United
States District Court, Southern District of California, located at 940 Front Street,
San Diego, CA 92101-8900, Defendant Homecomings Financial, LLC
("Homecomings") will, and hereby does, move to dismiss Plaintiff Shamelle Morris'
("Plaintiff") Complaint or alternatively, will move for a more definite statement.

1 This motion is made pursuant to RULES 12(b)(6) and 12(e) of the FEDERAL
 2 RULES OF CIVIL PROCEDURE. The Complaint is so vague and ambiguous that
 3 Homecomings cannot reasonably frame a reply and each and every potential claim
 4 directed at Homecomings fails to state a claim upon which relief can be granted.
 5 Specifically, Plaintiff has failed to either allege a recognized claim or allege facts to
 6 fulfill each element of the following claims she might be asserting: 1) Quiet Title; 2)
 7 Violation of 42 U.S.C. §§1983, 1985 and 1986; 3) Violation of the Bankruptcy
 8 Reform Act of 1978; 4) Violation of Regulation Z of the Truth in Lending Act
 9 (“TILA,” 15 U.S.C. §1601 *et seq.*); 5) Criminal violation of 18 U.S.C. §4; 6)
 10 Domestic Mixed War; 7) Fraud; 8) Conspiracy; 9) Treason; and 10) the Racketeer
 11 Influenced and Corrupt Organizations Act (“RICO”, 18 U.S.C. §1961 *et seq.*).

12 This motion is based upon this notice of motion and motion, the
 13 accompanying memorandum of points and authorities, the request for judicial
 14 notice, the pleadings and papers on file in this action, and on such further oral and
 15 documentary evidence as may be presented at the hearing of this motion.

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 17 DATED: June 5, 2008

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 20 By s/ Frederick A. Haist
 21 E. SCOTT PALMER
 22 FREDERICK A. HAIST
 23 PALMER, LOMBARDI & DONOHUE LLP
 24 Attorneys for Defendant Homecomings
 25 Financial, LLC
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